

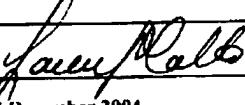
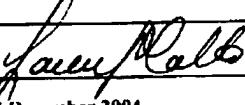
PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 10/771555
		Filing Date 02-04-2004
		First Named Inventor RUTLEDGE
		Art Unit 3643
		Examiner Name Valenti, A.M.
Total Number of Pages in This Submission 22		Attorney Docket Number 21810.003US

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Remarks	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 2px; width: fit-content;">PTO-2038 (payment)</div>
<small>This response is being filed with a 4-month extension of time extending the original 1-month deadline of 19 August 2004 to 19 December 2004. A fee of \$575.00 is being submitted because the inventor/applicant already has submitted \$220.00, which together with the enclosed \$575.00 equals the new 4-month fee of \$795.00.</small>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name Laurence P. Colton TECHNOPROP COLTON LLC		
Signature 		
Date 18 December 2004		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Typed or printed name Laurence P. Colton	Date 18 December 2004
Signature 	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

\$575.00

Complete If Known

Application Number	10/771555
Filing Date	02-04-2004
First Named Inventor	RUTLEDGE
Examiner Name	Valenti, A.M.
Art Unit	3643
Attorney Docket No.	21810.003US

METHOD OF PAYMENT (check all that apply)

<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit card	<input type="checkbox"/> Money order	<input type="checkbox"/> Other	<input type="checkbox"/> None
<input type="checkbox"/> Deposit Account:				
Deposit Account Number				
Deposit Account Name				

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					\$75.00

2. EXTRA CLAIM FEES FOR UTILITY AND

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
20	3		-20** = 0 - 3** = 0	X \$0.00 = \$0.00	= \$0.00

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)				\$0.00

*or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

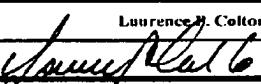
Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1062	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	\$75.00
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to Institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

\$575.00

SUBMITTED BY

Name	Laurence N. Colton	Registration No. (Attorney/Agent)	33,371	Telephone	770.522.9762
Signature			Date	18 December 2004	

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Patent

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UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATIONS

Applicant: RUTLEDGE, Jerry Donald
Application No.: 10/771555
Filing Date: 04 February 2004
Title: ANIMAL FOOD AND TREAT
DISPENSER

Art Unit: 3643
Examiner: Valenti, A.M.
Confirmation No.: 3725

RESPONSE

Via Fax: +1.703.872.9306

18 December 2004

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Sir:

The following is submitted in response to the Office Action dated 6 October 2004 from examiner Andrea M. Valenti of Art Unit 3643.

Status begins on page 2.

Restriction begins on page 3.

Claims Amendments begin on page 4.

Remarks begin on page 9.

I certify that I have transmitted this document to the USPTO via facsimile to the central fax receiving number of +1.703.872.9306, this 18th day of December, 2004.


Laurence P. Colton

STATUS

The above-captioned patent application is pending.

Claims 1 and are pending in the patent application.

Claims 1 and 2 are subject to a restriction requirement.

PETITION FOR AN EXTENSION OF TIME

The Office Action provided for a shortened statutory period for reply of one (1) month, which was until 19 August 2004. Enclosed herewith is a separate Petition for a four (4) month Extension of Time to Reply, which extends the deadline for reply until 20 December 2004 (19 December 2004 is on a Sunday, which carries over to Monday, 20 December 2004). Applicant initially was handling this patent application pro se and has submitted four (4) money orders of \$55.00 each (copies of which are attached as Exhibit A) in the mistaken assumptions that the extension of time fee was due each month and that the extension of time fee was \$55.00 for each month. Therefore, enclosed herewith is the additional fee of \$575.00 (the \$795.00 fee for a small entity for 4 months minus the \$220.00 that Applicant already has submitted).

NOTIFICATION OF FILING OF CONTINUATION-IN-PART APPLICATION

Applicant is filing a continuation-in-part patent application based on this patent application contemporaneously herewith.

NO EXCESS CLAIMS FEE

After entering the below amendment, this patent application will have 20 total claims (Claims 2 - 21) and 3 independent claims (Claim 2, 10, and 17), and no excess claims fee is due.

RESTRICTION

Applicant restricts this patent application to the invention of Group II, namely
Claim 2, drawn to a preloaded magazine.

This restriction is made without traverse.

Claim 1 is cancelled below.

Claim 2 is amended below.

Applicant reserves the right to file a divisional patent application on Claim 1.